

**Response Under 37 C.F.R. § 1.116
Expedited Procedure
Group Art Unit 2615**

Application No. 09/162,645
Paper Dated: April 29, 2004
In Reply to USPTO Correspondence of August 27, 2003
Attorney Docket No. 2392-981478

REMARKS

This Amendment cancels claims 18-20, 24, 25, and 27-31 and amends claims 21-23 in accordance with the original disclosure. Support for the claim amendments is found, for example, in the specification at page 1, line 31 to page 2, line 7; page 10, lines 1-11; page 11, lines 22-24; and page 12, line 22 to page 13, line 32. Claims 21-23 remain in this application.

Claim Objections

Claims 21-25 and 28 are objected to for use of both the terms "built-in audio source" and "an audio source". As set forth above, Applicant has amended claim 21 to remove this informality.

Reconsideration of the claim objections is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 18-20 and 27 stand rejected for anticipation by U.S. Patent No. 5,062,010 to Saito. As set forth above, Applicant has canceled claims 18-20 and 27, thereby rendering these rejections moot.

Rejections Under 35 U.S.C. § 103

Claims 21-25 and 28-31 stand rejected for obviousness over the teachings of U.S. Patent No. 5,062,010 to Saito in view of the teachings of U.S. Patent No. 5,124,814 to Takahashi et al. In view of the above amendments and the following remarks, reconsideration of these rejections is respectfully requested.

Claim 21, as amended, is directed to a video recording device comprising a first audio source comprising a microphone configured to supply a first audio signal from the microphone onto a storage device. The recording device further includes a second, built-in audio source separate from the first audio source and configured to supply a second audio signal from a prerecorded audio device not recorded by the microphone onto the storage device. The second audio device can be a radio, a cassette tape device, a compact disc

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device, or a digital audio device such that the second audio device can supply an unlimited selection of second audio signals to the storage device. The recording device further includes a video recording assembly including a video camera in electronic communication with a video recording head and an audio assembly including the first and second audio sources in electronic communication with an audio recording head. An audio activation switch is in electronic communication with the second audio source. A record button is in electronic communication with the video and audio assemblies. The recording device is configured such that when the audio activation switch is energized, activation of the record button simultaneously activates the second audio source and the recording assembly to simultaneously record a video signal and a prerecorded audio signal from the second audio source onto the storage device.

Thus, as will be appreciated from claim 21 and the disclosure associated therewith, the recording device of the invention includes a standard microphone that can be used to supply an ambient audio signal from the microphone onto the storage device. However, in an important aspect of the invention, the video recording device of the invention has a second audio source, such as a radio, a cassette tape device, a compact disc device, or a digital audio device, that enables a second, prerecorded audio signal to be supplied to the storage device either in lieu of or in addition to the ambient audio signal from the microphone. As will also be appreciated, use of the above selected second audio sources (such as a radio, a cassette tape device, a compact disc device, etc.) means that the second audio signal is not confined to a single, finite set of audio signals. Rather, by changing the station of the radio or by changing the cassette tape or CD disc, an unlimited variety of audio signals (such as songs, music, etc.) can be applied to the video image.

Saito is directed to an electronic still camera with an image pick-up system 100 that sends a video signal to a video head 304 to be applied to a magnetic disk 302. Saito also includes an audio receiving system 200 having a microphone 202 that can pick up ambient sound and send the sound signal to a memory 206 and from there to an audio head 306 to be recorded onto the magnetic disk 302. Thus, in Saito, the audio signal sent to the audio head is that picked up by or recorded by the microphone 202. There is no teaching or

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suggestion to modify the Saito device to incorporate a second audio source separate from the microphone 202. However, the Examiner relies upon Takahashi for this teaching.

Takahashi is directed to a video tape recorder having a title memory 34 and voice memory 16. In the Takahashi device, a menu of fixed titles is stored in a digital memory of a digital titler 12. The list of titles is displayed on a display screen 80 and a particular title is selected using a title selection switch 52. When the recording switch 54 is operated, a system controller 20 activates the digital voice playback section 18 to play a particular selection associated with the selected title from the digital voice memory 16. Thus, the audio signal from the digital voice memory 16 is limited to those signals in the voice memory 16 associated with a particular selected title.

Neither Saito nor Takahashi, either alone or in combination, fairly teaches or suggests the claimed invention having a first audio source comprising a microphone configured to supply ambient audio signals to a storage device in combination with a second audio source configured to supply an unlimited selection of audio signals to the storage device. If one were to combine the teachings of Takahashi with that of Saito, one would not arrive at the claimed invention but, rather, would arrive at the Saito electronic still camera incorporating the limited title and associated audio system of Takahashi. Therefore, Applicant believes claim 21, as amended, is patentable over the cited prior art and in condition for allowance. Reconsideration of the rejection of claim 21 is respectfully requested.

Claims 22 and 23 depend from claim 21 and are believed allowable for substantially the same reasons as discussed above.

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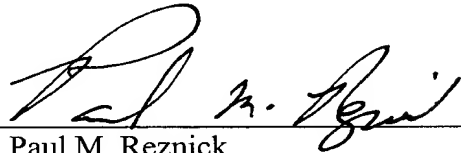
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Conclusion

In view of the above amendments and remarks, reconsideration of the rejections and allowance of claims 21-23 are respectfully requested.

Respectfully submitted,

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